



IAP15 Rec'd PCT/PTO 18 JUN 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Luisa SCHIAFFONATI 1
Serial No. 10/583,370
IA Filing Date: December 23, 2004
For: USE OF IL-6 IN LIVER INJURY

Atty's Dkt: SCHIAFFONATI 1

) Application Division
) **ATTN: PCT**
) Washington, D.C.
) Confirmation No. 8192
) Date: June 18, 2007

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Missing Parts
401 Dulany Street
Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated April 18, 2007. Attached hereto are:

- [XX] Four (4) executed declarations in compliance with 37 C.F.R. 1.63, identifying the present application by title and PCT information.
- [XX] Copy of the "Sequence Listing" in computer readable form (CRF) and statement that contents of the CRF are the same as the paper copy.
- [XX] Fees are reduced due to elimination of claim multiple dependencies; preliminary amendment filed April 26, 2007.
- [XX] Additional fees as calculated below:

| | | |
|---|------------------------|------------|
| <input type="checkbox"/> Search fee | | |
| <input type="checkbox"/> Examination fee | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | \$130.00 |
| Number of each additional 50 pages or fraction thereof (round up to a whole number) | RATE | |
| | X \$250.00 | |
| Number of Claims Previously Paid For | Number of Extra Claims | Rate |
| 34 - 20 = | 14 | X \$ 50.00 |
| 5 - 3 = | 2 | X \$200.00 |
| Multiple Dependent Claims (if applicable) | | + \$360.00 |
| TOTAL OF ABOVE CALCULATIONS | | \$1230.00 |
| Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27. | | <\$ > |
| SUBTOTAL | | \$1230.00 |
| Processing fee of \$130.00 for late furnishing of the English translation. | | \$ |
| TOTAL NATIONAL FEE | | \$1230.00 |

- ☐ Surcharge for late filing of the Declaration was paid on _____.
- ☐ It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity
Response Filed Within

| | | |
|---------------------------------|---|------------|
| <input type="checkbox"/> First | - | \$ 60.00 |
| <input type="checkbox"/> Second | - | \$ 225.00 |
| <input type="checkbox"/> Third | - | \$ 510.00 |
| <input type="checkbox"/> Fourth | - | \$ 795.00 |
| <input type="checkbox"/> Fifth | - | \$1,080.00 |

month after time period set

Other Than Small Entity
Response Filed Within

| | | |
|---------------------------------|---|------------|
| <input type="checkbox"/> First | - | \$ 120.00 |
| <input type="checkbox"/> Second | - | \$ 450.00 |
| <input type="checkbox"/> Third | - | \$1,020.00 |
| <input type="checkbox"/> Fourth | - | \$1,590.00 |
| <input type="checkbox"/> Fifth | - | \$2,160.00 |

month after time period set

[XX] Total fees enclosed: \$1230.00

06/20/2007 LLANDGRA 00000022 10583370

| | | |
|------------|--------|----|
| 01 FC:1615 | 700.00 | OP |
| 02 FC:1614 | 400.00 | OP |
| 03 FC:1617 | 130.00 | OP |

- [XX] Submitted herewith is a Credit Card Authorization, authorizing payment the amount of \$1230.00 is enclosed to cover the above fees.
- [XX] Conditional Petition for Extension of Time:
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By: 

Sheridan Neimark
Registration No. 20,520

SN:mah
G:\BN\inl2\Schiaffonati1\Pto\2007-06-18MissingPartsNationalTrns.doc

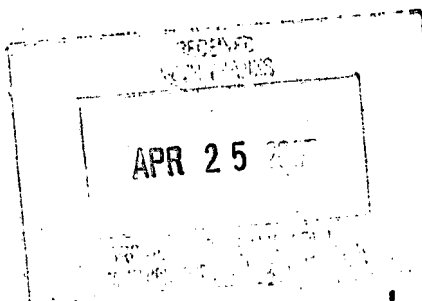


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| | | |
|---|---|------------------------------------|
| U.S. APPLICATION NUMBER NO. 10/583,370 | FIRST NAMED APPLICANT Luisa Schiaffonati | ATTY. DOCKET NO. SCHIAFFONATI 1 |
|---|---|------------------------------------|

1444
 BROWDY AND NEIMARK, P.L.L.C.
 624 NINTH STREET, NW
 SUITE 300
 WASHINGTON, DC 20001-5303



| | |
|---|-----------------------------|
| INTERNATIONAL APPLICATION NO. PCT/IL04/01158 | |
| I.A. FILING DATE 12/23/2004 | PRIORITY DATE 12/24/2003 |

CONFIRMATION NO. 8192
 371 FORMALITIES LETTER



OC000000023417384

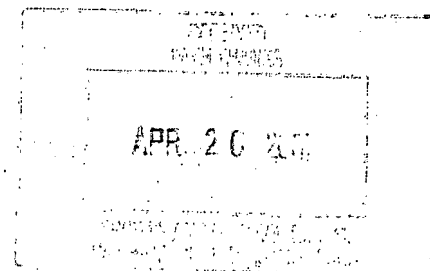
Date Mailed: 04/18/2007

MSP/PAC. AND - 18 JUL 2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/19/2006
- Copy of the International Search Report filed on 06/19/2006
- Biochemical Sequence Listing filed on 06/19/2006
- Request for Immediate Examination filed on 06/19/2006
- U.S. Basic National Fees filed on 06/19/2006
- Priority Documents filed on 06/19/2006



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$3660** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$3790** for a Large Entity:

- **\$130 Surcharge.**

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- Total additional claim fee(s) for this application is **\$ 3660**
 - **\$400** for 2 independent claims over 3.
 - **\$2900** for 58 total claims over 20.
 - **\$360** for multiple dependent claim surcharge.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/583,370 | PCT/IL04/01158 | SCHIAFFONATI 1 |

FORM PCT/DO/EO/905 (371 Formalities Notice)